

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

Nicholas H. Neumann, M.D.,)
Plaintiff,)
vs.)
Provident Life and Accident Insurance)
Company, d/b/a UNUM/Provident)
Corporation, a body corporate,)
Defendants.)

) **ORDER OF DISMISSAL**
Case No. 1:03-cv-125

Before the Court is a "Stipulation for Dismissal With Prejudice" filed on January 16, 2008.

On April 5, 2005, the parties filed a “Stipulation for Stay of Proceedings” (Docket No. 18) pending plaintiff’s acceptance and participation in a reassessment program. That stipulation also provided that in the event plaintiff’s disability benefits which were the subject matter of this proceeding were reinstated, the above-entitled action would be dismissed with prejudice. The parties now stipulate that the benefits under the plaintiff’s policies of disability insurance have been reinstated and the above-entitled action can be dismissed.

The Court **ADOPTS** the stipulation in its entirety (Docket No. 20) and **ORDERS** that this action be dismissed with prejudice and without costs to either party.

IT IS SO ORDERED.

Dated this 17th day of January, 2008.

/s/ Daniel L. Hovland
Daniel L. Hovland, Chief Judge
United States District Court